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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO.     | CONFIRMATION NO. |  |
|--|-------------|------------------------|-------------------------|------------------|--|
| 10/045,537   | 01/14/2002  | Jimmie Earl DeWitt JR. | AUS920010713US1         | 4818             |  |
| Joseph R. Burwell Law Office of Joseph R. Burwell P.O. Box 28022 |             |                        | EXAMINER KIM, KENNETH S |                  |  |
|  |             |                        |                         |                  |  |
|  |             |                        | Austin, TX 78           | 3755-8022        |  |

DATE MAILED: 05/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



| Office Action Summary    Examiner   Art Unit   Art Uni      |                              |  |   | Application No.  | Applicant(s)                            | (      |
|--|------------------------------|--|---|--|---|--------|
| The MAILING DATE of this communication appears on the cover sheet with the correspondence address —  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM  THE MAILING DATE OF THIS COMMUNICATION.  Laterasions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be simply the distribution of the provisions of 37 CFR 1.136(a). In no event, however, may a reply be simply the distribution of the provisions of 37 CFR 1.136(a). In no event, however, may a reply be simply the distribution of the provision of the communication.  JEND provided for reply is specified at its last shan thing (20) days, a reply white the standary pressurement of thirty (30) days will be considered with the provision of the controlled period for controlled period for controlled period for reply while the standary pressurement of the provision of the provision of the controlled period for reply while the standary pressurement of the provision o      |                              | Office Action Summany  |   |  | DEWITT ET AL.                           | 2      |
| Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM  THE MALLINE DATE OF THIS COMMUNICATION.  Lateristics of time may be worth more than the making date in produces at 30 CPR 1.136(s), in no event, bowerer, may a reply be finely fixed after \$K (s) (s) MONTH is form than making date in produces at 30 CPR 1.136(s), in no event, bowerer, may a reply be finely fixed after \$K (s) MONTH is form than making date in produces at 30 CPR 1.136(s), in no event, bowerer, may a reply be finely fixed after \$K (s) MONTH is form the making date of the communication of the communication, after \$K (s) MONTH is form the making date of the communication of |                              |  | emeericaen Gammary  | Examiner   | Art Unit                                |        |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  **BOT SIN, ON MOCKING by an available buildor the growings of 37 CFR 1.136(s). In no event, however, may a cepty be limely filled above in the service of the protect or reply well, it is a studied by the protect or reply septical above in the service of 37 CFR 1.136(s). In no event, however, may a cepty be limely filled above the service of the service of the protect or reply well, it is a studied by the original of the communication.  **If No protect or reply septical above in the service of the communication, which is a studied by the original of the communication.  **If No protect reply septical above, the meaning date of the communication, which is the service of the communication, even if stringly field, may reduce any visualization and service of the communication, even if stringly field, may reduce any visualization and service of the communication, even if stringly field, may reduce any visualization becomes a special or to become ABANDONED (36 U.S. C; § 130).  **Status**  1)  |                              |  | The MAILING DATE of this  | Kenneth S KIM  | 2111                                    |        |
| Extensions of time may be available under the provisions of VCPR 1.136(a). In no event, however, may a naply be timely filled aller Six (c) MONT It Store measured and on the communication.  If they pecula during the provision of the provisions of VCPR 1.136(a). In no event, however, may a naply to time of pecula and the set to the mailing during the communication. If they pecula during the provision of the peculation of the communication of the communication. Any reply received by the Office later than three months after the mailing delice of this communication, over if timely filled, any replication is provided to the communication of the communication, over if timely filled, and the provided the application is provided to the communication of the commun     |                              | Period f   | or Reply  | ears on the cover sheet with the c   | orrespondence address                   |        |
| Status  1) Responsive to communication(s) filed on 14 January 2002. 2e) This action is FINAL. 2b) This action is FINAL. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-26 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 5) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) 1-26 are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) cocepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing shee(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(e)  1) Notice of Praftpersons Patent Drawing Review (PTO-848) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/06) 5) Notice of Informal Patent Application (PTO-152) 6) Other:    Other:   |                              | - External e | ensions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. Period for reply specified above is less than thirty (30) days, a reply operiod for reply is specified above, the maximum statutory period wire to reply within the set or extended period for reply will, by statute, or reply received by the Office later than three months will, by statute, or reply received by the Office later than three months will, by statute, or reply received by the Office later than three months will. | 6(a). In no event, however, may a reply be tim<br>within the statutory minimum of thirty (30) days<br>Il apply and will expire SIX (6) MONTHS from | nely filed s will be considered timely. | ation. |
| 28   |                              |  | 250 57 CF (1.704(I)).   |  | o, see and                              |        |
| 28   |                              | 1)🛛  | Responsive to communication(s) filed on 14 Jan  | nuary 2002   |   |        |
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| Disposition of Claims  4) Claim(s) 1-26 is/are pending in the application.  4a) Of the above claim(s)  |                              | 3)   | Since this application is in condition for allowand   | Ce except for formal matters   |   |        |
| Algorithm of Claims  4) □ Claim(s) 1-26 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected. 7) □ Claim(s) is/are rejected to. 8) □ Claim(s) is/are objected to. 8) □ Claim(s) is/are objected to. 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1.□ Certified copies of the priority documents have been received in Application No application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1 □ Notice of References Cited (PTO-882) or Note (PTO-948) application Disclosure Statement(s) (PTO-1449 or PTO/SB/08) paper No(s)/Mail Date  S Patent and Takenay Office  S Private and Takenay Office  Alternation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) or Note or Maintanay Office of Informal Patent Application (PTO-152) or Note o   |                              |  | closed in accordance with the practice under Ex   | perte Quavle 1935 C.D. 11 45   | secution as to the merits               | is is  |
| 4a) Of the above claim(s) is/are withdrawn from consideration.  5)   |                              | Dispositi  |   | 7 4 4 4 5 5 5 5 5 5 5 5 5 5 5 5 5 5  | 5 O.G. 213.                             |        |
| 4a) Of the above claim(s) is/are withdrawn from consideration.  5)   | ł                            | 4)🖾  | Claim(s) 1-26 is/are pending in the application   |  |   |        |
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| Replication Papers   | 7) Claim(s) is/are rejected. |  |   | / (  |   | ~      |
| Application Papers    SENNETH-S. KIM PRIMARY EXAMINER  |                              | 8)   | Claim(s) 1-26 are subject to restriction and  |  |   |        |
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| S. Patent and Trademark Office   |                              | 3  | · Copies of the certified copies of the priority  | documents have been received   | in this National Stage                  |        |
| S. Patent and Trademark Office   |                              |  | application from the International Bureau (P  | CT Rule 17 2(a))   |   |        |
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Art Unit: 2111

- 1. Claims 1-26 are presented for examination.
- 2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - Claims 1-8, 11-14, and 18-24, drawn to a method and apparatus for saving state information in an interrupt resource based on the type of interruption, classified in class 710, subclass 267.
  - II. Claims 9, 10, 15-17, 25, and 26, drawn to a method and apparatus for saving second set of processor state information in second saving means prior to restoring the first set of processor state information, classified in class 712, subclass 228.
- 3. The inventions are distinct, each from the other because of the following reasons: Inventions of Group I and Group II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the invention of group I can be used in a system without the saving of second set of state information prior to restoring the first set. The subcombination has separate utility such as use in a system without the saving of state information based on the type of interrupt.
- 4. Because these inventions are distinct for the reasons given above and the search required for *one group* is not required for *the other group*, restriction for examination purposes as indicated is proper.
- 5. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 6. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth S KIM whose telephone number is (703) 305-9693. The examiner can normally be reached on M-F (8:30-17:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (703) 305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

May 10, 2004

KENNETH S. KIM PRIMARY EXAMINER